

<b>DIVISION OF MINED LAND RECLAMATION</b>		<b>PROCEDURE NO.</b>	2.2.01
<b>PROCEDURES MANUAL</b>		<b>ISSUE DATE</b>	October 7, 2002
<b>SUBJECT</b>	Permit Review Quality and Completeness Check	<b>Section</b>	Technical/Permitting
		<b>Last Revised</b>	3/12/97

**OBJECTIVE AND INTENT:**

To ensure that the review of each Chapter 19 permit application (**DMLR-PT-034e, DMLR-PT-034o, DMLR-PT-034p**, maps, plans, bonding information, etc.) is correct and complete using current, prudent engineering and professional practices.

**Abbreviations:**

<b>BLA</b>	Blasting	<b>ITS</b>	Information Technology Specialist	<b>RI</b>	Review Inspector
<b>ECO</b>	Ecologist	<b>MS</b>	Mineral Specialist	<b>RI - AVS</b>	Review Inspector (applicant violator system)
<b>ENG</b>	Environmental Engineer	<b>MGR</b>	Manager/MS	<b>SPA</b>	Special Projects Administrator (Remining)
<b>EP</b>	Electronic permit application	<b>NA</b>	Not applicable	<b>WPS</b>	Water Program Specialist
<b>GEO</b>	Geologist	<b>PS</b>	Program Specialist		

**PROCEDURES:**

**I. Application Submittal**

**Paper Copy** - When a paper application is received (mail or walk in) at the Big Stone Gap office, the Program Specialist will receipt application and initiate the following procedures.

<b>Who</b>	<b>Initial</b>	<b>Date</b>	<b>Duties:</b>
PS			Sends to Permit Section for processing (walk in).
PS			Creates index cards, then notifies MS via e-mail.
MS			Runs EP Load to get data download.
MS			E-mails designated PS to enter data from paper application.
PS			Enters, checks, and/or updates application data in the stand-alone program and inspector checklist (DMLR-PT-008). <i>(NA if completed by Inspector)</i>
PS			Notifies MS by e-mail that the data is loaded. <i>(NA if completed by Inspector)</i>
PS			Delivers hard copy to RI (DMLR-PT-034e) or RI – AVS (DMLR-PT-034o or DMLR-PT-034p).
MS			Runs autofoldering, map data download, and Current Permit to Appl. Data Report.
RI			Does the initial administrative review and e-mails MS for routing.
MS			Routes the application to technical reviewers.

<b>DIVISION OF MINED LAND RECLAMATION</b>		<b>PROCEDURE NO.</b>	2.2.01
<b>PROCEDURES MANUAL</b>		<b>ISSUE DATE</b>	October 7, 2002
<b>SUBJECT</b>	Permit Review Quality and Completeness Check	<b>Section</b>	Technical/Permitting
		<b>Last Revised</b>	3/12/97

**Electronic** - When an electronic application is received (by mail or walk in) at the Big Stone Gap office, the Program Specialist will receipt application and initiate the following procedures.

Who	Initial	Date	Duties:
PS			Sends to Permit Section for processing (walk in).
PS			Creates index card and delivers hard copy to RI (DMLR-PT-034e) or RI – AVS (DMLR-PT-034o or DMLR-PT-034p).
MS			Creates TIFF images.
MS			Runs autofoldering, map data download, and Current Permit to Appl. Data Report.
RI			Does the initial administrative review and e-mails Mineral Specialist for routing.
MS			Routes application to technical reviewers.

**II. Technical/Permitting Review** - The technical and permitting staff shall consider the applicable elements listed below in their respective reviews of a Chapter 19 permit application. The reviewers shall utilize the DMLR electronic permit review system to log review activities (which will become a part of the permit application file). RI shall forward review decisions in writing to the applicant and incorporate them into the permit files. Review decisions should be thorough, accurate, and grammatically correct. Each reviewer shall complete the regulatory written finding under his/her field of expertise for each significant revision and new permit application.

Who	Initial	Date	Duties
BLA			Views Current Permit to Appl. Data Report.
BLA			Verify application data to map location.
BLA			Blasting plans.
BLA			Mine Safety Health Administration concurrence.
BLA			Division of Mines concurrence.
BLA			Variance requests (1.18).
BLA			<b>Comments:</b>

ECO			Views Current Permit to Appl. Data Report.
ECO			Verify application data to map location.
ECO			Vegetation information.
ECO			Fish and wildlife information.

<b>DIVISION OF MINED LAND RECLAMATION</b>		<b>PROCEDURE NO.</b>	2.2.01
<b>PROCEDURES MANUAL</b>		<b>ISSUE DATE</b>	October 7, 2002
<b>SUBJECT</b>	Permit Review Quality and Completeness Check	<b>Section</b>	Technical/Permitting
		<b>Last Revised</b>	3/12/97

ECO			Wetlands.
ECO			Mitigation Plan.
ECO			Land use information.
ECO			Land productivity.
ECO			Prime farmlands information.
ECO			Soil resources information.
ECO			Plans for handling topsoil (amount, location and storage).
ECO			Plans for postmining land use, including retention of structures.
ECO			Revegetation plans.
ECO			Stream buffer zones: Ecosystem.
ECO			Variance requests (1.18).
ECO			<b>Comments:</b>

ENG			Views Current Permit to Appl. Data Report.
ENG			Verify application data to map location.
ENG			Operation and reclamation plans.
ENG			Backfilling and regrading plan.
ENG			Drainage and sediment control plans.
ENG			Transportation facilities plans.
ENG			Plans for disposal of excess spoil.
ENG			Compare/verify fills in application to DMME/DMLR database.
ENG			Reclamation cost estimates (compared with DMLR' s bond forfeiture historical data).
ENG			Subsidence control plans for mining under structures.
ENG			Volume estimates (coal, overburden, etc.).
ENG			Plans for disposal of coal mine waste and combustible materials.
ENG			Plans for maximization of coal resources.
ENG			Certification of maps, plans and cross-sections.
ENG			Plans for handling adverse offsite impacts (surface runoff and PHC).
ENG			Support facilities.
ENG			Relinquishments (if yes, note applicable permit numbers and details in comment section).
ENG			Review for potential rapid water discharge.
ENG			Variance requests (1.18).
ENG			<b>Comments:</b>

<b>DIVISION OF MINED LAND RECLAMATION</b>		<b>PROCEDURE NO.</b>	2.2.01
<b>PROCEDURES MANUAL</b>		<b>ISSUE DATE</b>	October 7, 2002
<b>SUBJECT</b>	Permit Review Quality and Completeness Check	<b>Section</b>	Technical/Permitting
		<b>Last Revised</b>	3/12/97

GEO			Views Current Permit to Appl. Data Report.
GEO			Verify application data to map location.
GEO			Stratigraphic data sheets, overburden analyses, and geologic cross-sections.
GEO			Compare/verify coal seam names, geologic data points, and ground water monitoring points in application to DMME/DMLR database.
GEO			Compare/verify geologic data point(s) and ground water monitoring locations (application to map(s)).
GEO			Water supply inventories.
GEO			Baseline and/or compliance groundwater monitoring data.
GEO			Well-construction data.
GEO			Acid-toxic handling plans.
GEO			Occurrence of water zones significant to the hydrologic balance.
GEO			Plans for alternate water supplies and water replacement.
GEO			Subsidence plans relative to geology and hydrology, including overlying streams.
GEO			Probable hydrologic consequences (PHC): water quantity.
GEO			Sealing of boreholes/wells plan.
GEO			Certification of applicable plans and maps.
GEO			Relinquishments (if yes, note applicable permit numbers and details in comment section).
GEO			Variance requests (1.18).
GEO			<b>Comments:</b>

ITS			Views Current Permit to Appl. Data Report.
ITS			Verify application data to GIS coverage.
ITS			Identify the location of the proposed permit area on the appropriate base map.
ITS			Check the permit acreage.
ITS			Compare proposed permit area in application to DMME/DMLR database to check for overlaps.
ITS			Compare PMU in application to DMME/DMLR database to check for overlaps.
ITS			Relinquishments (if yes, note applicable permit numbers and details in comment section).
ITS			Review the permit application maps for accuracy and required information.
ITS			Notifies MGR of proposal to mine adjacent to state boundary(ies).
ITS			<b>Comments:</b>

RI			Views Current Permit to Appl. Data Report.
----	--	--	--

<b>DIVISION OF MINED LAND RECLAMATION</b>		<b>PROCEDURE NO.</b>	2.2.01
<b>PROCEDURES MANUAL</b>		<b>ISSUE DATE</b>	October 7, 2002
<b>SUBJECT</b>	Permit Review Quality and Completeness Check	<b>Section</b>	Technical/Permitting
		<b>Last Revised</b>	3/12/97

RI			Ensures proper Agencies have been notified.
RI			Verify application data to map location.
RI			Completes Applicant Violator System (AVS) data sheets for the application and forward to the RI - AVS).
RI			Notifies the applicant of any alleged outstanding AVS violations.
RI			Evaluates any valid existing rights claims.
RI			Evaluates any potential or actual prohibited mining limitations (lands unsuitable for mining designations).
RI			Determines acceptability of right-of-entry information.
RI			Determines whether the applicant is eligible for acceptance into the Pool Bond Fund (if applicable).
RI			Determines adequacy of compliance information.
RI			Determines adequacy of ownership and control information.
RI			Forwards DMLR review comments and concerns to applicant and assign resubmittal deadlines (if applicable).
RI			Ensures all reviewers have approved application.
RI			Performs violation history, outstanding DMLR civil penalty(ies), and Applicant Violator System checks.
RI			Evaluates liability insurance certificate.
RI			Evaluates reclamation fee payment affidavit.
RI			Evaluates ownership & control and violation history affidavit.
RI			Calculates the necessary bond and fees.
RI			Requests by letter, payment of fees and bond and any other applicable materials.
RI			Composes and distributes "Terms of Issuance" letter (if applicable).
RI			Completes "Office Use" portion of bonding and tax worksheet.
RI			Ensures the "Written Findings" are complete.
RI			Completes approval/issuance processing note.
RI			Ensures the permit application file is maintained and current.
RI			Conducts administrative review and Appl. information updates.
RI			Relinquishments (if yes, note applicable permit numbers and details in comment section).
RI			Three criteria for permit transfer [774.17(d)] or six criteria for permit renewal [774.15(c)(1)] have been met
RI			<b>Comments:</b>

WPS			Views Current Permit to Appl. Data Report.
WPS			Verify application data to map location.
WPS			Stream buffer zone.

<b>DIVISION OF MINED LAND RECLAMATION</b>		<b>PROCEDURE NO.</b>	2.2.01
<b>PROCEDURES MANUAL</b>		<b>ISSUE DATE</b>	October 7, 2002
<b>SUBJECT</b>	Permit Review Quality and Completeness Check	<b>Section</b>	Technical/Permitting
		<b>Last Revised</b>	3/12/97

WPS			Baseline water analyses.
WPS			Baseline and compliance water monitoring locations.
WPS			Monitoring parameters.
WPS			Compares/verifies water monitoring points (NPDES, surface, groundwater, rainfall) in application to DMME/DMLR database.
WPS			Probable hydrologic consequences (PHC): water quality.
WPS			Establishment of stream loading for remining.
WPS			Climatological requirements.
WPS			NPDES applications.
WPS			Notifies the PS to send a copy of the entire permit application to the United States Environmental Protection Agency (EPA) if the applicant proposes to place a pond in a stream with more than 200 acres of watershed and/or place a fill in a hollow with more than 250 acres of watershed upstream from the pond.
WPS			Notify the PS to send a letter notifying the United States Army Corps of Engineers (ACE) if a fill is proposed in a hollow with more than 250 acres of watershed upstream from the toe of the most downstream pond.
WPS			Prepares fact sheets.
WPS			Assigns monitoring point identification numbers.
WPS			Relinquishments (if yes, note applicable permit numbers and details in comment section).
WPS			Variance requests (1.18).
WPS			<b>Comments:</b>

SPA			Remining / Experimental Practice
SPA			<b>Comments:</b>

**III. Data to Other Agencies** - Assigned Program Specialist will forward data to other agencies.

**Virginia Department of Environmental Quality / Water and Air Divisions (DEQ)**

PS			A copy of DMLR-PT-034e or Sections I, V (including DMLR-PT-128) and X of the DMLR-PT-034e, Surface Water and Application Map(s).
PS			Confirmation of receipt.
PS			Comments forwarded to RI.

**Virginia Department of Game and Inland Fisheries (VDGIF)**

PS			A copy of the Application.
PS			Confirmation of receipt.
PS/ECO			Comments forwarded to RI.

**Virginia Department of Historic Resources (VDHR)**

PS			A copy of Sections I, II, VII, and X of DMLR-PT-034e.
----	--	--	---

<b>DIVISION OF MINED LAND RECLAMATION</b>		<b>PROCEDURE NO.</b>	2.2.01
<b>PROCEDURES MANUAL</b>		<b>ISSUE DATE</b>	October 7, 2002
<b>SUBJECT</b>	Permit Review Quality and Completeness Check	<b>Section</b>	Technical/Permitting
		<b>Last Revised</b>	3/12/97

PS			A copy of the Application Map with the location of the site on the USGS Quad map.
PS			Confirmation of receipt.
PS			Comments forwarded to RI.

#### **US Fish and Wildlife Service (USFWS)**

PS			Sends complete copy to Abingdon, VA office when New Application, Acreage Amendment, Significant Revision, or CSMO Renewal is received.
PS			Confirmation of receipt.
PS/ECO			Comments forwarded to applicable reviewer.

#### **County Administrator/Planning District Commission**

PS			Sends Public Notice when New Application, Acreage Amendment, Significant Revision, or Renewal is received.
PS			Comments forwarded to applicable reviewer.

#### **US Army Corp of Engineers (ACE)**

PS			Send a letter, with applicable boxes checked, notifying the USACE (Abingdon VA office) when determined to be appropriate by WPS or Field Inspector on New Applications, Acreage Amendments, Significant Revisions, or CSMO Renewals.
PS/ECO			Comments forwarded to applicable reviewer.

#### **John W. Flannagan Dam (Question 5.2)**

PS			Sends Public Notice when application for mining is in Flannagan Dam watershed.
PS			Comments forwarded to applicable reviewer.

#### **Water Service Authority (Question 7.3, 7.4)**

PS			Sends Public Notice when application for mining in close proximity.
PS			Comments forwarded to applicable reviewer.

#### **Environmental Protection Agency (EPA)**

PS			When notified by WPS, send a copy of the entire permit application to the EPA if the applicant proposes to place a pond in a stream with more than 200 acres of watershed and/or place a fill in a hollow with more than 250 acres of watershed upstream from the pond.
WPS			Comments forwarded /received.

#### **U. S. Forest Service (USFS) (Question 18.8)**

PS			Verify Field Inspector contacted USFS for Federal Lands applications.
PS			Comments forwarded to applicable reviewer.

#### **IV. Application Approval**

RI			Notifies MS of DIS status.
MS			Runs EP Return.

<b>DIVISION OF MINED LAND RECLAMATION</b>		<b>PROCEDURE NO.</b>	2.2.01
<b>PROCEDURES MANUAL</b>		<b>ISSUE DATE</b>	October 7, 2002
<b>SUBJECT</b>	Permit Review	<b>Section</b>	Technical/Permitting
	Quality and Completeness Check	<b>Last Revised</b>	3/12/97

MS			Notifies assigned PS for scanning (paper application), MGR for quality completeness checklist review, ITS for GIS data check, and WPS for completion of CHIA (Permit Number & Date).
PS			Scans the paper application.
MGR			Reviews Quality Completeness Checklist, Current Permit to Appl. Data Report, Written Findings and CHIA.
ITS			Checks the application data versus the GIS data.
RI			Makes necessary changes to Application and updates Section 1.6.
MS			Runs autofoldering, map data download, and Current Permit to Appl. Data Report.
RI			Reviews Application Data Required for Issuance.
MS			Routes application to reviewers.
RI			Conducts final Admin Review and Computer Process (CMP).
MGR			Notifies MS of need to run Clean-up Application(s) for Relinquishment(s) or data correction(s).
PS			Prepares a monitoring package for the operator.
MS			Routes Clean-up Application(s): would enter the appropriate Permit /Application number
PS			Notifies County Administrator of permit approval.
RI			Notifies informal conference participants and other commenters of decision to issue permit.
PS			Notifies applicant of decision to issue.
RI			Notifies applicant of decision to withdraw/deny.